

Attorney Docket No.: 00211-US-NEW

PTO FAX NO.: (703) 308-4242

ATTENTION: Examiner Sarvamangala Devi
TELEPHONE NO.: (703) 308-9347

Group Art Unit 1645

OFFICIAL COMMUNICATION
FOR THE PERSONAL ATTENTION OF
EXAMINER SARVAMANGALA DEVI

CERTIFICATION OF FACSIMILE TRANSMISSION

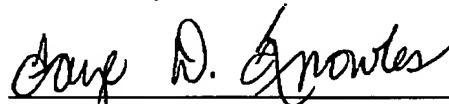
I hereby certify that the following documents in re Application of **Elizabeth Moyer, et al**, Application No. **09/393,590**, filed **September 9, 1999** for **Stable Liquid Formulations of Botulinum Toxin** is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Transmittal Form;
2. Fee Transmittal for FY 2003;
3. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (in duplicate); and
4. Petition for Extension of Time Under 37 CFR 1.136(a).

Number of pages being transmitted, including this page: **5**

Dated: August 22, 2003


Faye D. Knowles

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PTO/SB/17 (08-03)
Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL

for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,250.00)

| Complete if Known | |
|----------------------|-------------------------|
| Application Number | 09/393,590 |
| Filing Date | September 9, 1999 |
| First Named Inventor | Elizabeth Moyer, et al. |
| Examiner Name | Devi, S. |
| Art Unit | 1645 |
| Attorney Docket No. | 00211-US-NEW |

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number 01-2707
Deposit Account Name Elan Pharmaceuticals, Inc.

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|-------------------|--------------|------------------------|---------------|-----------------|----------|
| 1001 750 | 2001 375 | Utility filing fee | | | |
| 1002 330 | 2002 165 | Design filing fee | | | |
| 1003 520 | 2003 260 | Plant filing fee | | | |
| 1004 750 | 2004 375 | Reissue filing fee | | | |
| 1005 180 | 2005 80 | Provisional filing fee | | | |
| SUBTOTAL (1) (\$) | | -0- | | | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
| | | | -20** = | X | = |
| | | | -3** = | X | = |
| | | | | | |

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description |
|-------------------|--------------|--|---------------|-----------------|
| 1202 18 | 2202 9 | Claims in excess of 20 | | |
| 1201 84 | 2201 42 | Independent claims in excess of 3 | | |
| 1203 280 | 2203 140 | Multiple dependent claim, if not paid | | |
| 1204 84 | 2204 42 | ** Reissue independent claims over original patent | | |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent | | |
| SUBTOTAL (2) (\$) | | -0- | | |

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|-----------------------------------|--------------|--|---------------|-----------------|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | | | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | | | |
| 1053 130 | 1053 130 | Non-English specification | | | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | | | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | | | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | | | |
| 1251 110 | 2251 55 | Extension for reply within first month | | | |
| 1252 410 | 2252 205 | Extension for reply within second month | | | |
| 1253 830 | 2253 465 | Extension for reply within third month | | | 930.00 |
| 1254 1,450 | 2254 725 | Extension for reply within fourth month | | | |
| 1255 1,970 | 2255 985 | Extension for reply within fifth month | | | |
| 1401 320 | 2401 160 | Notice of Appeal | | | 320.00 |
| 1402 320 | 2402 180 | Filing a brief in support of an appeal | | | |
| 1403 280 | 2403 140 | Request for oral hearing | | | |
| 1451 1,510 | 1451 1,510 | Petition to Institute a public use proceeding | | | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | | | |
| 1453 1,300 | 2453 650 | Petition to revive - unintentional | | | |
| 1501 1,300 | 2501 650 | Utility issue fee (or reissue) | | | |
| 1502 470 | 2502 235 | Design issue fee | | | |
| 1503 630 | 2503 315 | Plant issue fee | | | |
| 1480 130 | 1480 130 | Petitions to the Commissioner | | | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | | | |
| 1808 180 | 1808 180 | Submission of Information Disclosure Stmt | | | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | | | |
| 1809 750 | 2809 375 | Filing a submission after final rejection (37 CFR 1.129(a)) | | | |
| 1810 750 | 2810 375 | For each additional invention to be examined (37 CFR 1.129(b)) | | | |
| 1801 750 | 2801 375 | Request for Continued Examination (RCE) | | | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | | | |
| Other fee (specify) | | | | | |
| *Reduced by Basic Filing Fee Paid | | | | | |
| SUBTOTAL (3) (\$) | | 1,250.00 | | | |

| SUBMITTED BY | (Complete if applicable) | | |
|-------------------|--------------------------|-----------------------------------|-----------------|
| Name (Print/Type) | Leslie J. Boley | Registration No. (Attorney/Agent) | 41,490 |
| Signature | <i>Leslie J. Boley</i> | Date | August 22, 2003 |

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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